

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

DONALD K. DENNIS,  
Petitioner,

VS.

NATHANIEL QUARTERMAN, Director,  
T.D.C.J., Correctional  
Institutions Division,  
Respondent.

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CIVIL ACTION NO.4:07-CV-020-Y

ORDER DENYING THIRD MOTION FOR EXTENSION and,  
ORDER ADOPTING MAGISTRATE JUDGE'S FINDINGS AND CONCLUSIONS

Before the Court is the petition for writ of habeas corpus under 28 U.S.C. § 2254 of petitioner Donald K. Dennis, along with the February 4, 2007, findings, conclusions, and recommendation of the United States magistrate judge. The magistrate judge initially extended the time to file objections beyond the statutorily mandated ten days, and gave the parties until February 26, 2008, to file written objections to the findings, conclusions, and recommendation. This Court has on two separate occasions granted additional extensions of time to file written objections, first until March 21, 2008, and then until April 14, 2008. In the Court's order granting the second motion for extension, it expressly noted "that no further extension will be granted." In spite of that warning, Dennis has not filed objections, but has filed yet another motion for extension. Dennis contends that he cannot prepare objections without access to the full transcript. But lack of access to a transcript is not a basis for failure to file objections. Thus, the third motion for extension will be denied.

The Court has reviewed the pleadings and the record in this case, and has reviewed for clear error the proposed findings,

conclusions and recommendation of the United States magistrate judge filed on February 4, 2008. The Court concludes that the petition for writ of habeas corpus should be denied for the reasons stated in the magistrate judge's findings and conclusions.

Therefore, the findings, conclusions and recommendation of the magistrate judge are hereby ADOPTED.

Donald K. Dennis's third motion for extension of time [docket no. 30] is DENIED.

Donald K. Dennis's petition for writ of habeas corpus under 28 U.S.C. § 2254 is DENIED.

SIGNED April 21, 2008.

  
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TERRY R. MEANS  
UNITED STATES DISTRICT JUDGE